

PUBLIC NOTICE

**US Army Corps
of Engineers®**

APPLICATION FOR PERMIT

LOS ANGELES DISTRICT

Public Notice/Application No.: 200300789-DLC

Comment Period: May 23, 2003 through June 23, 2003

Project Manager: Deanna L. Cummings deanna.l.cummings@usace.army.mil

Applicant

Spring Pacific Properties, LLC
15751 Rockfield Blvd., Suite 100
Irvine, California 92618
(949) 581-4994

Contact

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Lilburn Corporation
1905 Business Center Dr.
San Bernardino, California 92408
(909) 890-1818

Location

The proposed project would have impacts to an unnamed tributary to the Temecula Creek in Temecula, Riverside County, California (at: lat:33-27-55.0800 lon:117-6-59.0760).

Activity

The applicant proposes to construct the Wolf Creek Specific Plan, a housing development with a maximum of 2601 units, three planned schools, and a commercial/community center area on 557 acres in Temecula (see attached drawings). The preferred alternative for the project would convert the existing agricultural drainage features along Pechanga Parkway (formerly Pala Road) to grass-lined swales. Impacts to Corps jurisdiction would be 1.54 acres. For more information see page 3 of this notice.

Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). Interested parties are invited to provide their views on the proposed work, which will become a part of the record and will be considered in the decision. This permit will be issued or denied under Section 404 of the Clean Water Act of 1972 (33 U.S.C. 1344). Comments should be mailed to:

U.S. Army Corps of Engineers, Los Angeles District
Regulatory Branch
ATTN: CESPL-CO-R-200300789-DLC
P.O. Box 532711
Los Angeles, California 90053-2325

Alternatively, comments can be sent electronically to: deanna.l.cummings@spl01.usace.army.mil

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof. Factors that will be considered include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, if the proposal would discharge dredged or fill material, the evaluation of the activity will include application of the EPA Guidelines (40 CFR 230) as required by Section 404 (b)(1) of the Clean Water Act.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Preliminary Review of Selected Factors

EIS Determination- A preliminary determination has been made that an environmental impact statement is not required for the proposed work.

Water Quality- The applicant is required to obtain water quality certification, under Section 401 of the Clean Water Act, from the California Regional Water Quality Control Board. Section 401 requires that any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers prior to permit issuance. For any proposed activity on Tribal land that is subject to Section 404 jurisdiction, the applicant will be required to obtain water quality certification from the U.S. Environmental Protection Agency.

Coastal Zone Management- This project is located outside of the coastal zone and will not affect coastal zone resources.

Cultural Resources- The latest version of the National Register of Historic Places has been consulted and this site is not listed. This review constitutes the extent of cultural resources investigations by the District Engineer, and he is otherwise unaware of the presence of such resources.

Endangered Species- Preliminary determinations indicate that the proposed activity would not affect federally-listed endangered or threatened species, or their critical habitat. Therefore, formal consultation under Section 7 of the Endangered Species Act does not appear to be required at this time.

Public Hearing- Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing.

Applicant proposes to construct 2601 dwellings, both multi-family and single-family housing, on 557 acres adjacent to Pechanga Parkway in Temecula. The development, the Wolf Creek Specific Plan, would also contain schools, parks, and possibly a commercial center. Impacts of the proposed development would be: 1) the placement of the existing jurisdictional area along Pechanga Parkway, 1.4 acres, into a 9000-ft long, 100-ft wide, grass-lined swale; and, 2) the placement of the existing jurisdiction along Wolf Valley Road, 0.14 acre, into underground facilities. The total impacts to Corps jurisdiction for the proposed project would be 1.54 acres. The existing drainages contain some riparian vegetation, but are mostly steep-sided ditches with sparse, non-native vegetation. No wetlands were observed within Corps jurisdiction on the project site.

Additional Project Information

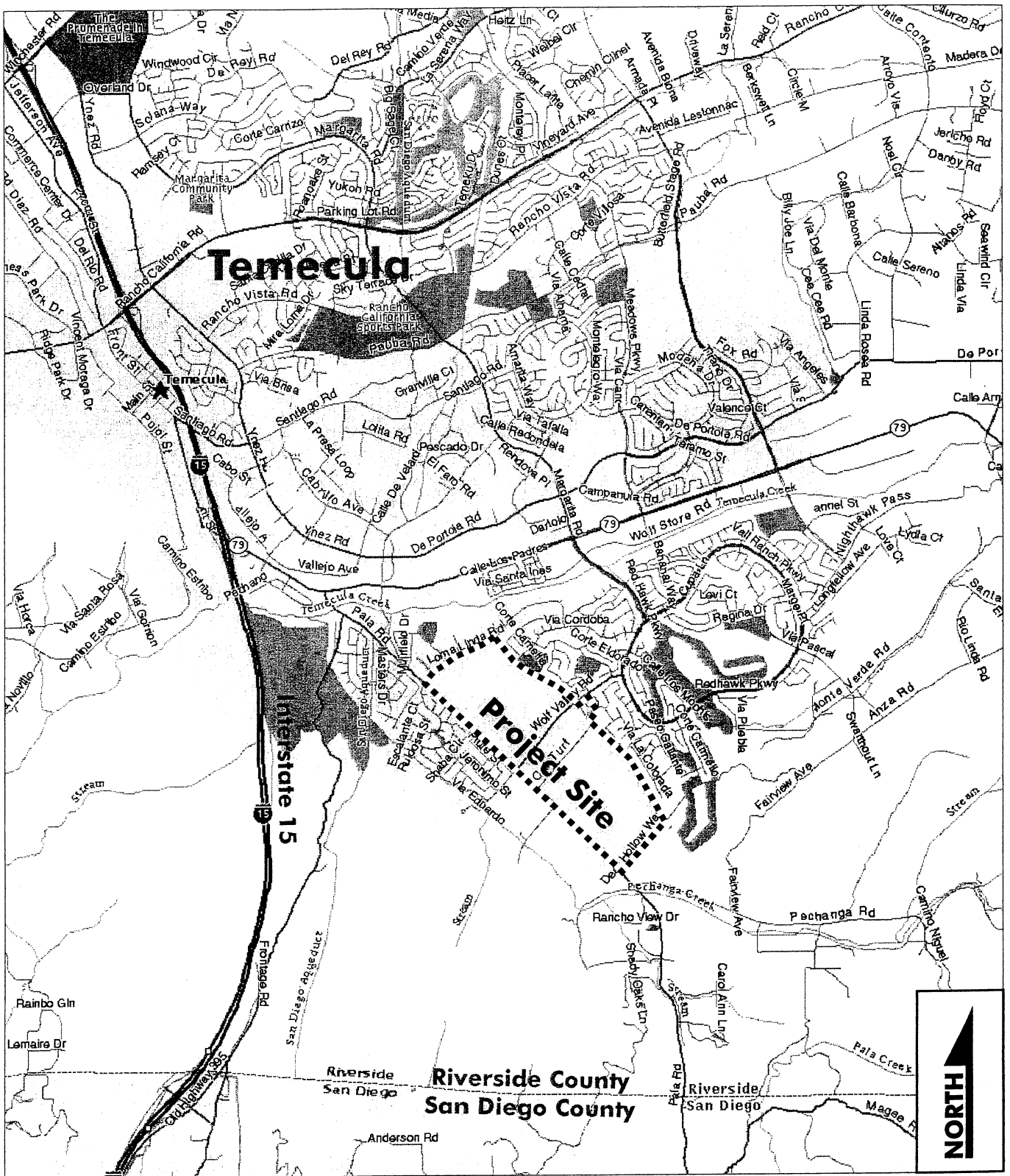
Mitigation: The applicant has proposed mitigation consisting of the increase in Corps jurisdiction from 1.4 acres of steep-sided, non-vegetated channel to a grass-lined swale of approximately 21 acres.

Alternatives Analysis: The Corps has determined that the overall project purpose is housing, a non-water-dependent activity. Because there are no special aquatic sites within the proposed project boundaries, however, the applicant will not be required to rebut the presumption that a practicable alternative exists that would not impact special aquatic sites. An alternatives analysis is required and the preferred alternative must be the least environmentally damaging practicable alternative in order to satisfy the Clean Water Act Section 404 (b)(1) requirements.

Proposed Special Conditions

1. The applicant shall comply with all the requirements contained within any Clean Water Act Section 401 Water Quality Certification issued by the San Diego Regional Water Quality Control Board. Section 401 Water Quality Certification is required for the Corps to issue a permit.
2. Other measures may be developed based upon Public Notice comments or the environmental analysis conducted by the Corps.

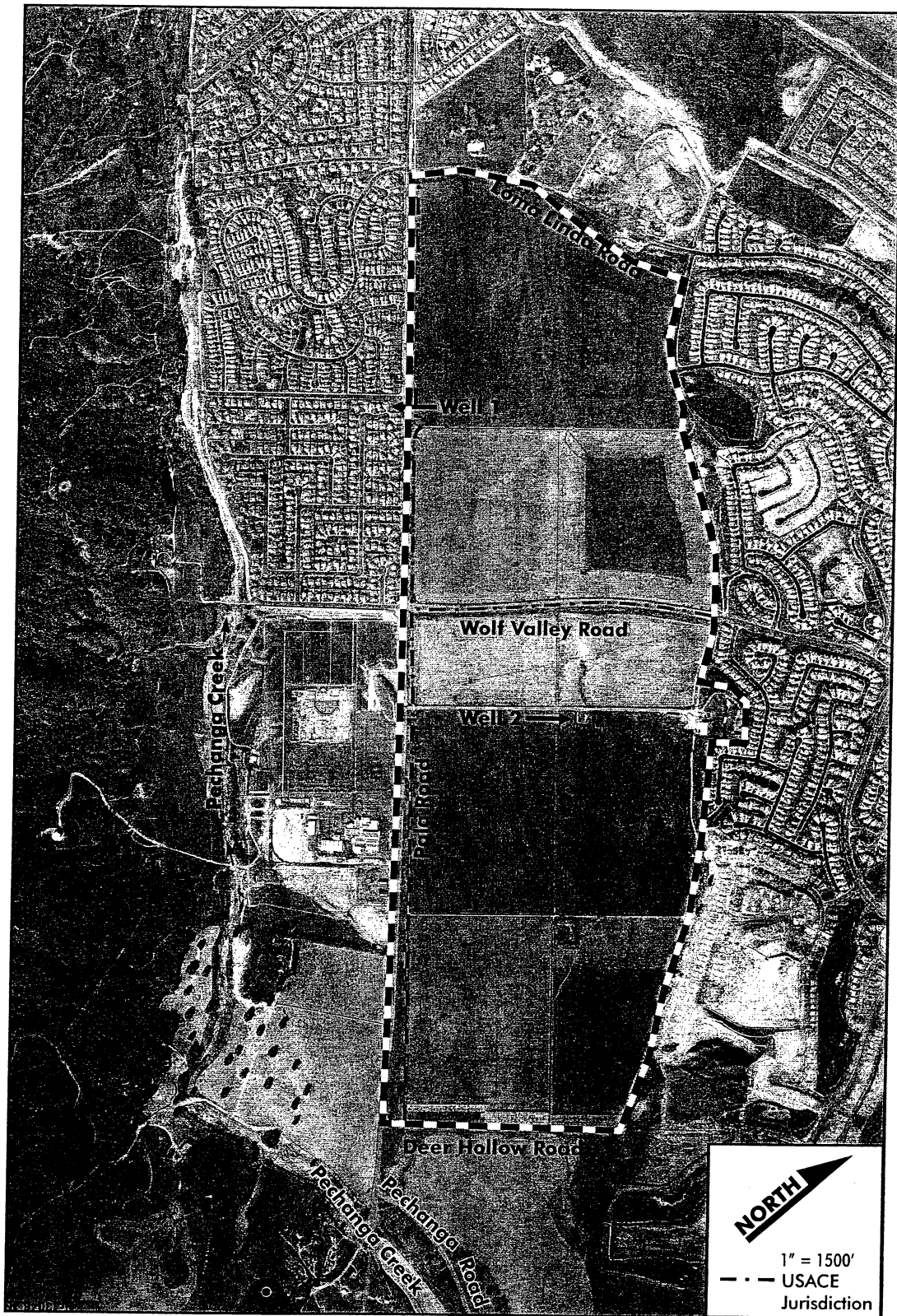
For additional information please call Deanna L. Cummings of my staff at (213) 452-3289. This public notice is issued by the Chief, Regulatory Branch.



Regional Location Map

Wolf Creek Specific Plan
City of Temecula, California

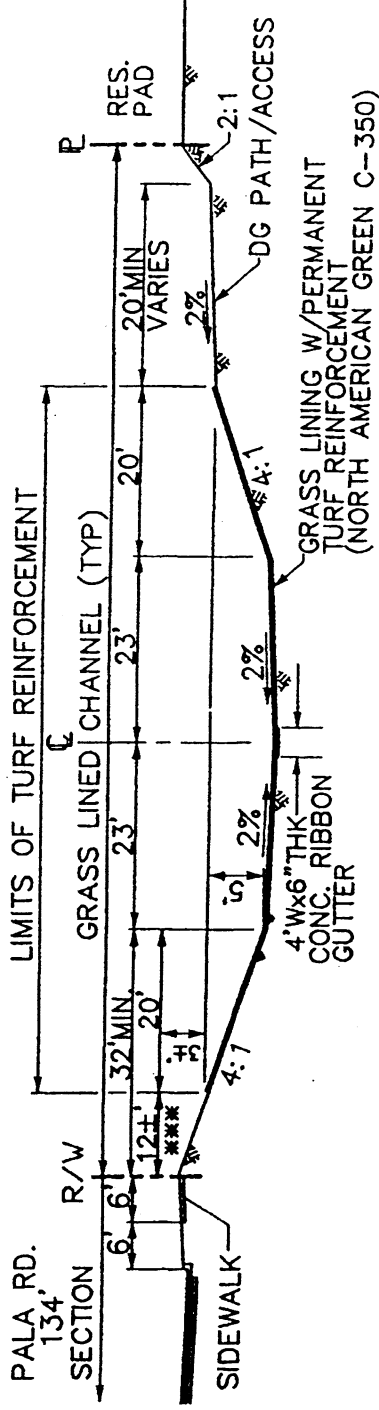
Figure 1



Project Site Aerial Photo

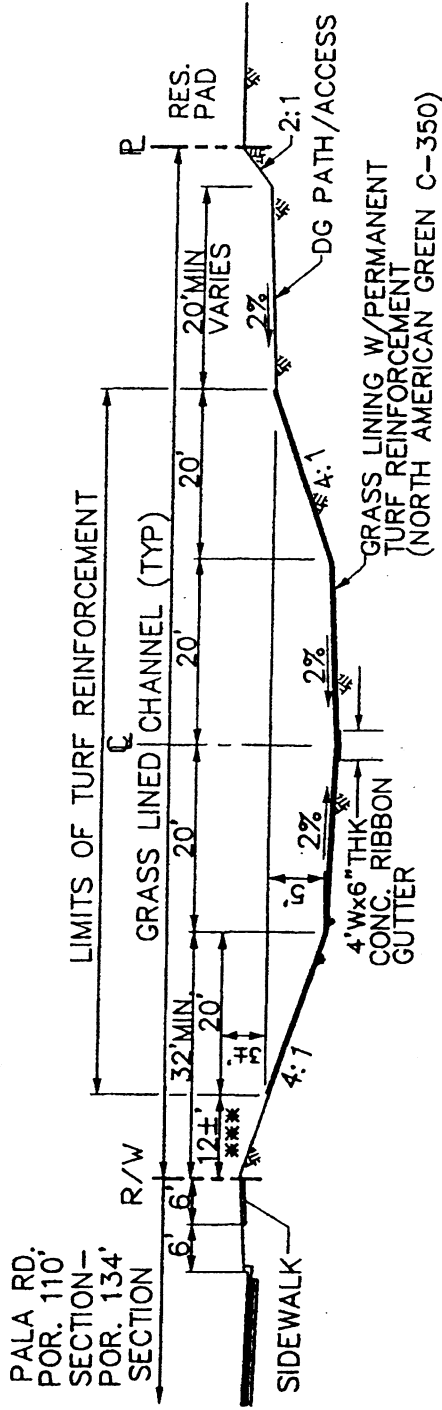
Wolf Creek Specific Plan
City of Temecula, California

Figure 2



*** = AREA WITHIN WHICH TREES MAY BE PLANTED WITHOUT AFFECTING CHANNEL FLOW
STA. 16+20.00 TO STA. 18+60.00

Loma Linda Road to Loop Road North (Mahogany Parkway North)



*** = AREA WITHIN WHICH TREES MAY BE PLANTED WITHOUT AFFECTING CHANNEL FLOW
STA. 22+29.00 TO STA. 49+85.00

Loop Road North (Mahogany Parkway North) to Wolf Valley Road

Pala Road Channels

Cross Sections

Wolf Creek Specific Plan
City of Temecula, California